

An
Bord
Pleanála

Board Order ABP-321115-24

Planning and Development Acts 2000 to 2022

Planning Authority: Cork City Council

Planning Register Reference Number: 24/43165

Appeal by Rory Donohue care of McNamara and Partners Architectural Design of 40 South Mall, Cork against the decision made on the 1st day of October, 2024 by Cork City Council to refuse permission for the proposed development.

Proposed Development: Permission to construct a detached two-storey dwellinghouse with new vehicular and pedestrian entrances and all associated works on a site adjacent to and originally part of 1 Glendale Avenue, Glasheen, Cork.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the design and scale of the proposed development as submitted with the first party appeal, the pattern of development in the vicinity and the policies of the Cork City Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the character of the area, would not seriously injure the amenities of adjacent residential neighbourhoods or of the properties in the vicinity, and would be appropriate in terms of the utilisation of a vacant infill site. The proposed development would be consistent with the land use zoning for the site, Strategic Objective 01 and Objective 3.4 as set out in the development plan and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 23rd day of October 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Development described in Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the site/within the rear garden areas without a prior grant of planning permission.

Reason: In the interest of residential amenity.

3. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

A plan to scale of not less than 1:500 showing –

- (i) Existing trees, hedgerows specifying which are proposed for retention as features of the site landscaping.
- (ii) The measures to be put in place for the protection of existing landscape features during the construction period.
- (iii) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder.
- (iv) Details of boundary treatments, planting, tree and vegetation retention.
- (v) Hard landscaping works, specifying surfacing materials furniture and finished levels.

Reason: In the interests of residential and visual amenity.

4. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of, and be agreed in writing with, the planning authority for such works and services, prior to the commencement of development.

Reason: In the interest of public health.

5. Prior to the commencement of development the developer shall enter into Connection Agreements with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

6. Details of the materials, colours and textures of all the external finishes to the proposed house shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

7. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

8. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including management measures for noise, dust and dirt and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

9. All necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

10. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

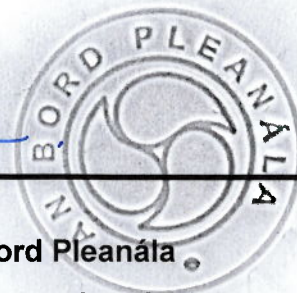
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Emer Maughan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this 5th day of March 2025